

Serial No. 10/685,196

5

BOE 0437 PA

REMARKS

In the Action, the Examiner objected to the claims for various informal reasons. By this Amendment, all of the original claims (claims 1-21) have been withdrawn from the case and new claims 22-37 substituted therefore. It is submitted that all of the new claims have been drafted in order to overcome the Examiner's informal objections to the original set of claims and therefore the new set of claims are believed to be proper.

As to the Examiner's comment concerning the trademark "Delran", that trademark has been properly designated in the new set of claims.

On the merits, claims 1, 2, 6, 7, and 9-19 were rejected under 35 USC §102(c) as being fully met and thus anticipated by the Karimi patent (U.S. No. 6,813,374). In addition, claim 4 was rejected under 35 USC §103(a) as being obvious and thus unpatentable over the Karimi patent in view of the Schulte reference (U.S. Pub. No. 2005/0025280). In addition, claim 3 was rejected under that same statutory section as being unpatentable over the Karimi and Schulte references and further in view of the Quasar reference. Finally, claims 5, 8, 20 and 21 were rejected under §103 as being unpatentable over the Karimi patent in view of the Jacobson patent (U.S. No. 4,344,183). All of the original claims submitted with the application, namely claims 1-21, have been withdrawn by this amendment, and a new set of claims, namely claims 22-37, substituted therefore. Claim 22 is the only independent claim submitted in the new set of claims.

It is submitted that the applicant's invention as defined by claim 22, as well as dependent claims 23-37, are not disclosed or suggested by any of the cited references, whether taken individually or in any permissible combination.

New claim 22 relates to a device for calibrating a CT machine, such as an EDS machine, in which the device includes a housing member, a core member and a plurality of right cylinder members positioned in the core member. The core member is particularly made from a foam material, and the cylindrical members

Serial No. 10/685,196

6

BOE 0437 PA

are particularly made from a plastic material, such as DelranTM or the like. The cylinder members each have a different length and a constant cross-section throughout their lengths. One of the cylinder members also extends entirely through the core member, particularly along the longitudinal axis thereof. With the applicant's invention, performance across the entire field of view of the CT machine, particularly an EDS machine, is measured. The machine system performance is validated across the entire field and includes image resolution and contrast sensitivity measurements. The calibration of the CT machine is accomplished in a quicker and easier manner with the applicant's invention, which also provides uniform and accurate results.

The housing member is adapted to fit and pass easily through the CT/EDS machine and has a recess therein in which the foam core member is positioned. In the preferred embodiment, the foam core member has a rectangular shape, such as a square-cross section, and the cylindrical members are positioned in order to measure the performance across the entire field of view of the CT/EDS machine.

None of the cited references disclose or suggest the applicant's invention as defined in independent claim 22, let alone a number of the features set forth in the dependent claims, namely claims 23-37.

In the Karimi patent, the insert members are not all right cylinders and none extend completely through the core member. There also is no disclosure or suggestion of having the insert members positioned uniformly across the entire cross-sectional size and shape of the core member in order to facilitate performance measurement across the entire field of view of the CT/EDS machine.

The Jacobson patent discloses the use of tapered cylinders which cannot be used for edge measurements in the manner of the present invention. The tapered cylinders do not provide a perpendicular edge from which the necessary data can be secured. Jacobson also does not disclose the use of cylinder members of different lengths. None of these features are also disclosed or suggested by the Quasar reference. Finally, the purpose of the markers in the Schulte patent is

Serial No. 10/685,196

7

BOE 0437 PA

substantially different than the applicant's invention, and the device disclosed therein is substantially different than the applicant's invention.

In general, the present invention is particularly concerned about measuring the quality of the entire field of view, while the cited references simply measure characteristics of the slice at the location that the inserts or cylinders happen to be positioned. In particular, the spatial resolution derived from the image analysis of the sharpness at the edge of the image of the cylinders with the applicant's invention is a unique use of the cylinder or insert members. As a result, the entire field of view is measured with a single test device.

In this regard, the Examiner makes reference to "right cylinders" and "light cylinders". This reference is not understood since the reference to "right cylinders" is present in paragraphs [0007], [0021] and [0027]. Although it is preferred that the applicant's invention be relatively light in weight for ease of use, it is submitted that the preferred cylindrical members are "right" cylinders. Thus, if there is a typographical or grammatical error relative to the use of "light" rather than "right", the Examiner is requested to bring that to the attention of the applicant for appropriate correction.

Serial No. 10/685,196

8

BOE 0437 PA

In view of the foregoing, it is submitted that all of the claims remaining in the case, namely claims 22-37, are in proper form and patentably distinguish from the prior art. Accordingly, allowance of claims and passage of the application to issuance are respectfully solicited.

Respectfully submitted,

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